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UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

ROGER CAIN and JACQUELINE THOMAS.

Plaintiffs,

Case No. 04-**743**6

HON: ANNA DIGGS TAYLOR

MICHAEL RUSSELL, AUBREY SERGENT, and CITY OF DETROIT,

Defendants.

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STIPULATION TO DISMISS CAUSE

The parties in the above-entitled cause by their respective attorneys, hereby stipulate and agree that an Order be entered forthwith dismissing the said cause with prejudice and without costs

and attorney fees to any party

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AMENDED

CLERK'S OFFICE, DETROIT-PSG U.S. DISTRICT COURT

ORDER TO DISMISS CAUSE

At a session of the said Court held in the Courthouse, City of Detroit, County of Wayne, Michigan on DEC - 1 2005

Present: Honorable ____ANNA DIGGS TAYLOR

District Court Judge

Upon the reading and filing of the stipulation annexed hereto, and the Court being fully advised in the premises;

IT IS HEREBY ORDERED that the within cause be dismissed with prejudice and without costs and without attorney fees to any party; all pending claims are hereby resolved and this case is now closed.

District Court Judge

04-74376

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing *Amended Order to Dismiss Cause* was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail (all copies mailed to Marion R. Jenkins) disclosed on the Notice of Electronic Filing on **December 1, 2005**.

s/Johnetta M. Curry-Williams Case Manager: 313-234-5107